



WHEREAS, the proposed Final Judgment cannot be entered prior to the deadline for MasterCard and Visa to answer or otherwise respond to the Complaint due to the requirements of the Antitrust Procedures and Penalties Act (“APPA”), 15 U.S.C. §16(b)-(h). Pursuant to 15 U.S.C. §16(b), the 60-day public comment period on the proposed Final Judgment will expire on December 16, 2010; thereafter, two other procedural steps must be taken before the Final Judgment may be entered: (a) the United States must, pursuant to 15 U.S.C. §16(d), respond in writing to any public comments; and (b) pursuant to 15 U.S.C. §15(e)(1), the Court “shall determine that the entry of such judgment is in the public interest;”

WHEREAS, Plaintiff United States has agreed with Defendants MasterCard and Visa that, due to the contemplated settlement, MasterCard and Visa need not answer or otherwise respond to the Complaint unless the proposed Final Judgment is not entered;

WHEREAS, Plaintiff United States has conferred with the Plaintiff States regarding this Stipulation and Plaintiff States agree that the time to answer or otherwise respond to the Complaint should be extended as provided herein;

WHEREAS, Plaintiff United States notified counsel for Defendants American Express Company and American Express Travel Related Services Company, Inc. (“American Express”) that Plaintiffs, MasterCard, and Visa intend to file this Stipulation, and American Express does not oppose;

WHEREAS, no previous requests for adjournment or extension have been made in this case;

WHEREAS, this Stipulation does not affect any other scheduled dates in this case;

AND WHEREAS, this Stipulation does not affect the time for American Express to

answer or otherwise respond to the Complaint;

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned that the time for Defendants MasterCard and Visa to answer or otherwise respond to the Complaint in this proceeding is hereby adjourned to 30 days after either (1) the Court declines to enter the proposed Final Judgment; or (2) the United States has withdrawn its consent to entry of the proposed Final Judgment, as provided in paragraph two of the Stipulation filed October 4, 2010 (docket #4).

FOR PLAINTIFF  
UNITED STATES OF AMERICA

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**SO ORDERED:**

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**U.S.D.J.**